

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:

TROVERCO, INC.,

Debtor.

**Chapter 11
Case No. 17-44474-705**

#13

**INTERIM ORDER (I) AUTHORIZING PAYMENT OF CERTAIN PREPETITION
TAXES AND FEES AND (II) AUTHORIZING FINANCIAL INSTITUTIONS TO
PROCESS AND CASH RELATED CHECKS AND TRANSFERS**

Upon the Motion¹ of Troverco, Inc., the above-captioned debtor and debtor-in-possession (the “Debtor”), pursuant to sections 105, 363(b), 507(a)(8) and 541 of title 11 of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004, for entry of an order (i) authorizing, but not requiring, the Debtor to remit and pay prepetition claims of certain taxing and regulatory authorities (each, an “Authority” and collectively, the “Authorities”), and (ii) authorizing the Debtor’s banks and financial institutions to receive, process and honor all checks and electronic payment requests relating to the foregoing; and this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and venue of this chapter 11 case and the Motion in this district being proper pursuant to 28 U.S.C. §§ 408 and 1409; this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and proper and adequate notice having been given and no other or further notice being required; and a hearing having been held to consider the relief requested in the Motion; and upon the record of the hearing and all of the proceedings had before the Court; and the Court having found and determined

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

that the relief sought in the Motion is in the best interests of the Debtor, its estate, its creditors and all other parties in interest; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, on an interim basis, as set forth herein.
2. The Debtor is authorized, but not directed, in its sole discretion, to pay in the ordinary course of its business, all prepetition Taxes and Fees related to the period prior to the Petition Date, including all those Taxes and Fees subsequently determined upon audit, or otherwise, to be owed for periods prior to the Petition Date, to the Authorities.
3. All applicable banks and other financial institutions are hereby authorized to receive, process, honor and pay any and all checks, drafts, wires, check transfer requests, automated clearing house transfers and other payment orders drawn or issued by the Debtor under this Order, whether presented or issued prior to or after the Petition Date, to the extent the Debtor has good funds standing in its credit with such bank or financial institution. Such banks and financial institutions are authorized to rely on representations of the Debtor as to which checks and payment orders are authorized to be paid pursuant to this Order without any duty of further inquiry and without liability for following the Debtor's instructions.
4. Nothing in this Motion or this Order shall be construed as impairing the Debtor's right to contest the validity or amount of any Taxes and Fees allegedly due or owing to any of the Authorities or priority or any claim or lien against the Debtor and all of the Debtor's rights with respect thereto are hereby reserved.
5. Nothing in the Motion or this Order, nor as a result of any payment made pursuant to this Order, shall be deemed or construed as (a) an admission as to the validity or priority of any claim

or lien against the Debtor or an approval or assumption of any agreement, contract or lease pursuant to section 365 of the Bankruptcy Code, or (b) a waiver of the right of the Debtor to contest the validity and amount of any payment made pursuant to this Order.


6. A final hearing, if required, on the Motion will be held on August 15, 2017 at 10:30 a.m. (Prevailing Central Time) (the "Final Hearing"). Any objections or responses to entry of the Final Order shall be filed and served so as to actually be received on or before August 8, 2017 (Prevailing Central Time). If no objections are filed to the Motion, the Court may enter the Final Order without further notice or hearing.

7. The requirements set forth in Bankruptcy Rule 6003 are satisfied by the Motion and any evidence presented at any hearing on the Motion.

8. The requirements of Bankruptcy Rule 6004(a) are waived for the purpose of this Motion, and notwithstanding any applicability of Bankruptcy Rule 6004(h), this Order shall be immediately effective and enforceable upon its entry.

9. No later than 24 hours after the date of this Order, the Debtor shall serve a copy of this Order on those persons and entities appearing on the Master Service List and, no later than 24 hours after such service, the Debtor shall file a certificate of service with the Court.

DATED: July 6, 2017
St. Louis, Missouri 63102
mtc


CHARLES E. RENDLEN, III
U.S. Bankruptcy Judge

Proposed order submitted by:
Ryan C. Hardy, 62926MO
Spencer Fane LLP
1 N. Brentwood Blvd., Suite 1000
St. Louis, MO 63105
Tel: 314-863-7733
Fax: 314-862-4656
rhardy@spencerfane.com

Proposed co-counsel to the Debtor